

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

IN RE:	:	Case No. 23-00051 pmm
	:	
RECONDITION PROS PENN, LLC	:	Chapter 11
Debtor.	:	
<hr/>		
RECONDITION PROS PENN, LLC	:	Document No.
	:	
Plaintiff,	:	
v.	:	
2730 CASTOR AVE, LLC,	:	
	:	
Defendant.	:	
	:	
	:	

**JOINT STIPULATION REGARDING CLAIMANT'S PROOF OF CLAIM, CLAIM  
NUMBER 6**

AND NOW comes the Debtor, Recondition Pros Penn, LLC (“Recondition,” “Plaintiff” or “Debtor”), by and through its counsel, Lara S. Martin, Esquire and the law firm of Bernstein-Burkley, and Defendant, 2730 Castor Ave, LLC (“Castor”), by and through its counsel, William M. Buchanan, Esquire and the law firm of Cohen Seglias Pallas Greenhall & Furman, P.C., and file this Joint Stipulation Regarding Claimant’s Proof of Claim, Claim Number 6 on the claims docket (and as may be amended) (the “Stipulation”), averring as follows:

1. The Debtor filed a voluntary subchapter V case under Chapter 11 of 11 U.S.C. 101, et. seq. (the “Bankruptcy Code”) on March 3, 2023 (the “Bankruptcy Case”).
2. Debtor initiated adversary case number 23-00051 against Castor on July 7, 2023 by filing a Complaint for *inter alia*, turnover of property and breach of contract claims (the Complaint)(the “Adversary Proceeding”).

3. On August 31, 2023, Castor filed its Motion to Extend Time to File Rejection Damages Claim [Doc. No. 85](the “Motion to Extend Time”).

4. On September 5, 2023, Castor timely filed its proof of claim, claim number 6 in the total amount of \$372,911.98 (the “Claim”).

5. On September 15, 2023, Castor filed its Answer to the Complaint, Affirmative Defenses and Counterclaim (the “Answer”) in the Adversary Proceeding.

6. On September 27, 2023, this Honorable Court held a hearing on the Motion to Extend Time and denied the Motion to Extend Time as moot. Counsel for Castor also indicated that it intended to file an amended claim in accordance with its Answer.

7. For purposes of this Stipulation hereafter, the term “Claim” shall also refer to the Claim and any future amended claim filed by Defendant.

8. The allowance and valuation of the Claim is factually and legally related to the determination of the Complaint filed by Plaintiff and the Answer, Affirmative Defenses and Counterclaim filed by Defendant in the Adversary Proceeding.

9. As evidenced by signatures of counsel below, the Parties have conferred and agree that the claims objection process will be mooted by a final adjudication of the causes of action, defenses and counterclaims raised by them in the Adversary Proceeding, and hereby stipulate and agree that all rights, claims and defenses afforded to each of them by the claims objection process are preserved pending determination of the causes of action, defenses and counterclaims between them. Nothing herein shall be construed as a waiver of any right, claim or defense by either party in the Adversary Proceeding or the underlying bankruptcy, including any jurisdictional challenge of Defendant.

Respectfully Submitted,

Date: October 9, 2023

By /s/ Lara S. Martin  
Lara S. Martin, Esquire  
PA ID No. 302727  
Bernstein-Burkley  
600 Grant Street, 9<sup>th</sup> Floor  
Pittsburgh, PA 15219  
T: 412-546-8102  
[lmartin@bernsteinlaw.com](mailto:lmartin@bernsteinlaw.com)  
*Counsel for Debtor*

By /s/ William M. Buchanan  
William M. Buchanan, Esquire  
PA ID 202843  
Cohen Seglias Pallas Greenhall & Furman,  
P.C.  
525 William Penn Place, Suite 3005  
Pittsburgh, PA 15219  
T: 412-227-5946  
[wbuchanan@cohenseglas.com](mailto:wbuchanan@cohenseglas.com)  
*Counsel for Castor*

APPROVED AND ORDERED BY THE COURT:

                        , J  
Patricia M. Mayer  
U.S. Bankruptcy Judge